

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

16 April 2015

SUBJECT:	APPLICATION TO VARY A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	BIDSTON AND ST JAMES WARD
REPORT OF:	STRATEGIC DIRECTOR OF REGENERATION & ENVIRONMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application to vary a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Sukhdeep Thiara** and relates to the premises known as **News and Booze, 264-266 Conway Street, Birkenhead**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises currently have a Premises Licence with the following hours:

Sale by Retail of Alcohol

Sunday to Saturday 10:00 to 22:00

The Premises Licence currently permits the sale of alcohol for consumption Off the premises only.

Hours Open to the Public

Monday to Saturday 06:30 to 22:00
Sunday 07:00 to 22:00

3.0 APPLICATION

- 3.1 The application to vary the Premises Licence is to remove the following condition :
- Beer or cider with an ABV above 6% must not be sold at the premises.

4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule may become conditions of licence should the application be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following representations have been received in respect of the above application.

Wirral Licensing Authority

A representation has been received from the Licensing Authority who state that the removal of this condition would undermine both the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing Objectives. A copy of the representation is available.

Trading Standards

A representation has been received from Trading Standards. The representation relates to an underage sale which occurred at the premises in January 2015. The representation also refers to concerns that the premises could become the focus of anti-social behaviour should the application be granted. A copy of the representation is available.

Public Health

A representation has been received from Public Health which relates to concerns that granting the application could lead to an increase of young people and street drinkers access alcohol leading to harm to young people and anti-social behaviour within the vicinity of the premises. A copy of the representation is available.

Merseyside Police

A representation has been received from Merseyside Police. The representation relates to concerns that if the application is granted then these premises will attract individuals who misuse alcohol to obtain high strength alcohol and would lead to all four Licensing Objectives being undermined. A copy of the representation is available.

Environmental Health

A representation has been received from Environmental Health who have concerns that the removal of the condition will undermine the Licensing Objectives. A copy of the representation is available.

5.2 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Planning Authority
Fire Authority

6.0 RELEVANT RISKS

6.1 There are none arising directly from this report.

7.0 OTHER OPTIONS CONSIDERED

7.1 There is no provision for other options to be considered.

8.0 CONSULTATION

8.1 Statutory consultation has been undertaken in respect of this application.

9.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

9.1 There are no previously approved actions outstanding.

10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

10.1 There are no specific implications arising from this report.

11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

11.1 There are no specific implications arising from this report.

12.0 LEGAL IMPLICATIONS

12.1 A decision of this Committee can be subject to Appeal.

13.0 EQUALITIES IMPLICATIONS

13.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

14.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

14.1 There are no specific implications arising from this report.

15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

15.1 There are no Planning implications arising from this report.

16.0 RECOMMENDATIONS

16.1 The Licensing Act 2003 Sub-Committee are asked to consider the application to vary a Premises Licence in respect of the above premises.

17.0 REASONS FOR RECOMMENDATIONS

17.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

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APPENDICES

- None

BACKGROUND PAPERS/REFERENCE MATERIAL

- Application to vary a Premises Licence
- Representations received from Responsible Authorities

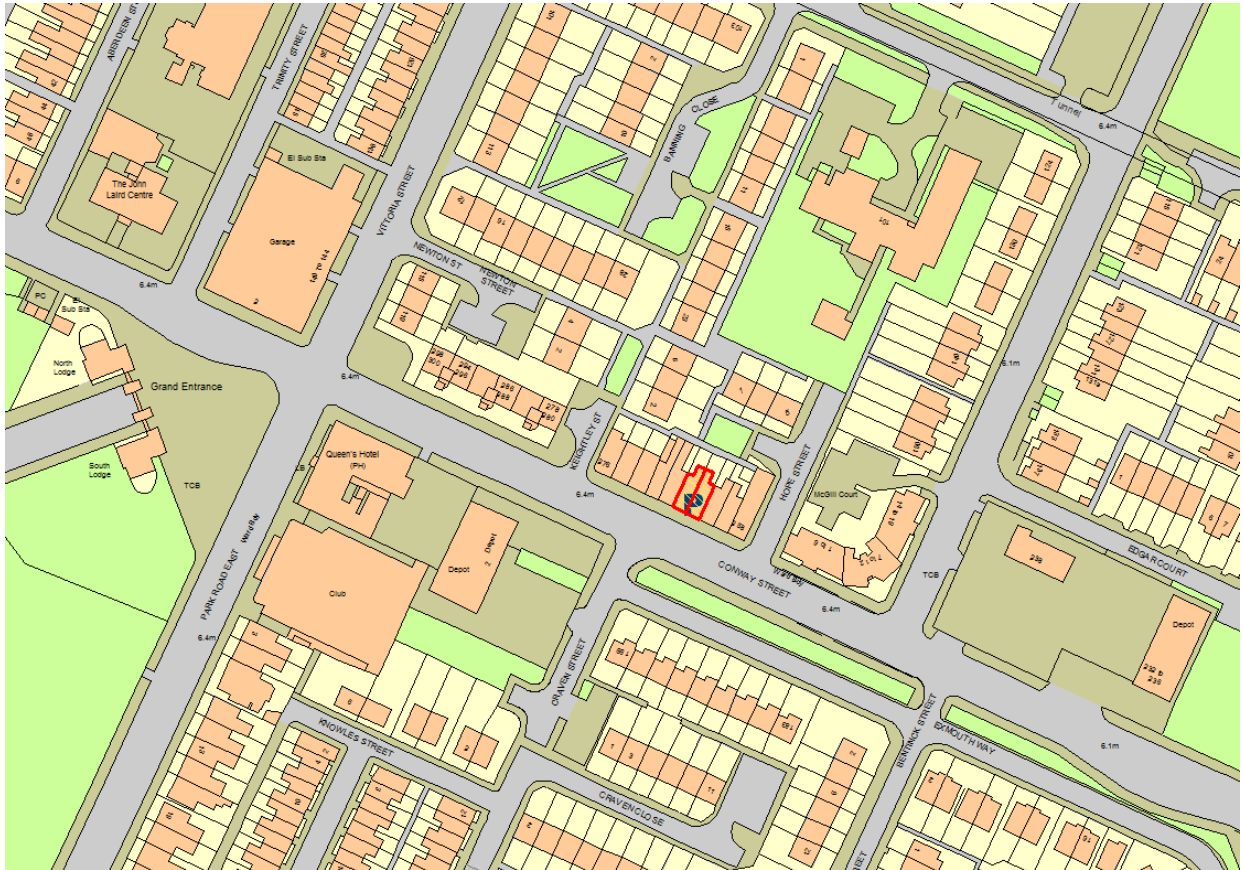
BRIEFING NOTES HISTORY

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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